



Town Council Meeting Minutes - Draft

Mayor Jason Gray
Mayor Pro Tem Desiree LaFleur
Councilmember Ryan Hollingshead
Councilmember Laura Cavey
Councilmember Kevin Bracken
Councilmember Max Brooks
Councilmember Tim Dietz

Tuesday, February 20, 2024

6:00 PM

Town Hall Council Chambers

100 North Wilcox Street

Castle Rock, CO 80104

Phone in: 720-650-7664

Meeting code: 2499 828 4085

Access key: 33220268

www.CRgov.com/CouncilMeeting

This meeting is open to the public and will be held in a virtual format in accordance with the Town Council Electronic Participation, Connected, and Hybrid Meeting Policy. Public may choose to attend in person at Town Hall, or electronically or by phone if preferred. This meeting will be hosted online and can be accessed at www.CRgov.com/CouncilMeeting, or phone in by calling 720-650-7664, meeting code 2499 828 4085 (if prompted for a password enter "Feb20Council", or access key 33220268). All Town Council Meetings are also streamed online in real time at www.CRgov.com/WatchCouncil, and are broadcast for Comcast Cable subscribers on Channel 22 (please note there is a delay to the broadcast).

All times indicated on the agenda are approximate. Remote participants please visit www.CRgov.com/CouncilComments to sign up to speak to an item, and for related instructions. Public Comments may also be submitted in writing online by 1:00 p.m. February 20, 2024, to be included in the public record.

COUNCIL DINNER & INFORMAL DISCUSSION

INVOCATION

Mayor Gray provided the invocation.

CALL TO ORDER / ROLL CALL

Present: 7 - Mayor Gray, Mayor Pro Tem LaFleur, Councilmember Hollingshead, Councilmember Cavey, Councilmember Bracken, Councilmember Brooks, Councilmember Dietz

PLEDGE OF ALLEGIANCE

COUNCIL COMMENTS

Councilmember Bracken brought up the lack of items on the agenda lately, and that it is a result of what happens when the economy and the market take care of itself in a downturn and we have less money for roads and other services.

Councilmember Brooks recognized the service for Joe "Joe Pro" Procopio. He was very active with the lacrosse program at Castle View High School, and the entire team showed up for his service.

Councilmember Dietz encouraged people to help someone you see needs help. He also advised voters to do their research when voting.

Mayor Pro Tem LaFleur recognized Red Hawk's 25 year anniversary and the recognition they received.

[EXEC](#)
[2024-002](#)

Executive Session Report: February 6, 2024

Mayor Gray reported on the Executive Session.

UNSCHEDULED PUBLIC APPEARANCES

No public comment.

TOWN MANAGER'S REPORT

[ID 2024-017](#)

Update: Calendar Reminders

[ID 2024-018](#)

Update: Monthly Department Reports

[ID 2024-019](#)

Update: Legislative Update

Kristin Read, Assistant Town Manager, gave a presentation of pending legislation and how Council can get involved.

Councilmember Cavey asked for clarification on the construction defects bill.

Councilmember Cavey also shared that citizens are increasingly concerned about traffic challenges downtown. We don't have mass transit and she is in support of that bill.

Cavey reported that there was a bill for harsher penalties around people that sex traffic children. That bill didn't make it out because every Democrat voted against it and all of us should be able to come together for this and we should protect our children. She encouraged citizens to pressure their legislators.

Councilmember Brooks stated the bill was to punish the buyers. Currently they get probation. He would like to send a letter from the Town to the Committee. Councilmember Dietz and Mayor Gray support sending a letter that the buyer and seller should face harsher penalties.

Councilmember Dietz and Mayor Gray feels the state should not impose legislation on a Home Rule Town.

A motion was made.

Mark Marlowe, Director of Castle Rock Water, presented a staff recommendation to send a letter to urge US Senators at a federal level regarding PFAS in our water supply.

Councilmember Cavey asked if there is support for that. It could cost 100's of millions of dollars to a community if they need to clean it up.

General Consensus of Council to support staff recommendations.

Moved by Councilmember Dietz, seconded by Councilmember Cavey, to Affirm staff positions on state legislation and communicate to the legislative delegation and CML; and add a letter supporting the penalty of trafficking of children. The motion passed by a vote of:

Yes: 7 - Gray, LaFleur, Hollingshead, Cavey, Bracken, Brooks, Dietz

[ID 2024-020](#) **2023 Service Contract Year-end Reports**

[ID 2024-021](#) **Development Services Project Updates**

[ID 2024-022](#) **Update: Quasi-Judicial Projects**

TOWN ATTORNEY'S REPORT

No report.

ACCEPTANCE OF AGENDA

Moved by Councilmember Bracken, seconded by Councilmember Hollingshead, to Accept the Agenda as presented. The motion passed by a vote of:

Yes: 7 - Gray, LaFleur, Hollingshead, Cavey, Bracken, Brooks, Dietz

CONSENT CALENDAR

Moved by Councilmember Bracken, seconded by Councilmember Hollingshead, to Approve the Consent Calendar as presented. The motion passed by a vote of:

Yes: 7 - Gray, LaFleur, Hollingshead, Cavey, Bracken, Brooks, Dietz

[ORD 2024-002](#) **Ordinance Annexing to the Town of Castle Rock, Colorado, 3.76 Acres of Land Owned by the Town and Located In Section 25, Township 7 South, Range 67 West of the 6th Principal Meridian, Douglas County, Colorado (Tower Open Space Annexation) (Second Reading - Approved on First Reading on February 6, 2024, by a vote 7-0) [located between the existing Metzler Ranch development and the Canyons Far South future development]**

[ORD 2024-003](#) **Ordinance Approving the Initial Zoning for 3.76 Acres of Land Owned by the Town and Located in Section 25, Township 7 South, Range 67 West of the 6th Principal Meridian, Douglas County, Colorado (Tower Open Space Initial Zoning) (Second Reading - Approved on First Reading on February 6, 2024, by a vote 7-0) [located between the existing Metzler Ranch development and the Canyons Far South future development]**

[ORD 2024-004](#) **Ordinance Amending Various Provisions within Chapter 4.04 of the Castle Rock Municipal Code Regarding the Dedication of Water Rights as a Condition of Annexation to the Town (Second Reading -**

Approved on First Reading on February 6, 2024, by a vote 7-0) [Castle Rock Water Service Area]

[MIN 2024-004](#) **Minutes: February 6, 2024 Town Council Meeting**

ADVERTISED PUBLIC HEARINGS & DISCUSSION ACTION ITEMS

[ID 2024-023](#) **Presentation from a Citizen Arts Advisory Group**

Jen Perry represents a citizen advisory group focused on education, philanthropy, business, and arts; and feels it is time to join SCFD. The legislation is renewed every 12 years and will next be voted on in 2025. Castle Rock and Larkspur are the only municipalities not in SCFD; and therefore the schools cannot bring in SCFD programs. No SCFD programs can come into Castle Rock and no arts programs can receive funding. The potential sales tax increase per resident is about \$6.71 as is paid for citizens that live outside of Castle Rock.

Citizens that addressed Council:

Dana Frazee is a resident and president of the Tri Arts program that opens and establishes an arts program. However, we cannot apply for any grants because we are not in the district. Every time we shop outside of Castle Rock, we are paying that 1% tax that goes to SCFD. 70% of our shoppers come from out of town, so they would be paying the majority of the 1% of the SCFD tax.

Rick Young taught in the schools in Douglas County and had to look elsewhere for arts programs for his daughter; and as a resident would like the arts in Castle Rock. He feels it is time for the Town to grow up culturally and join SCFD. He asks Council to refer this vote to the ballot.

Katie D'Arcangelo states that SCFD would cover many of the costs and support bringing cultural arts here.

Julie Browning spoke as a parent and her children did not benefit from cultural arts and doesn't want her grandchildren to miss out as well.

Mayor Gray thanked everyone for their participation. David Corliss, Town Manager, feels when it comes to financial issues; it is helpful to see the totality of all of the budget requests.

[RES 2024-012](#) **Resolution Approving a Construction Contract with O-A-K Colorado, LLC, for the Cantril School Renovation Project**

Matt Gohl, Assistant Town Manager, provided an overview of the construction activity happening at the Cantril building, and asks Council to approve the construction contract.

Moved by Councilmember Hollingshead, seconded by Councilmember Cavey, to Approve Resolution RES 2024-012 as presented. The motion passed by a vote of:

Yes: 7 - Gray, LaFleur, Hollingshead, Cavey, Bracken, Brooks, Dietz

[RES 2024-013](#) **Resolution Approving the Castle Rock Fire and Rescue Department 2020-2024 Community Driven Strategic Plan, 2024 Update**

Norris Croom, Fire Chief, presented the Fire Strategic Plan, which is required each year from Council to approve.

Councilmember Brooks inquired about the plan for the increased fleet maintenance plan. Croom stated they need to look at options for location, etc. The timeline will be built into the next strategic plan.

Councilmember Dietz feels maintenance is very important. Croom stated they have a senior technician and are all up to standards and making it happen, just limited to the appropriate space.

No public comment.

Croom additionally gave an update on Fire Station 156. Construction is planned and to be operational in early 2026. The engine and brush truck are ordered and partially paid for, the capital is from the TABOR timeout, and staffing will hopefully be funded by the SAFER grant.

Councilmember Cavey stated this affects her district. She asked if it would make sense to start it sooner than later due to rising costs. David Corliss, Town Manager, replied that prices are starting to moderate. They will move along as quickly as possible, but we couldn't staff it until it is completed. It costs \$2.5M a year to staff the facility.

Councilmember Dietz feels we are blessed to have our own Fire and Police departments.

Moved by Councilmember Brooks, seconded by Councilmember Cavey, to Approve Resolution RES 2024-013 as presented. The motion passed by a vote of:

Yes: 7 - Gray, LaFleur, Hollingshead, Cavey, Bracken, Brooks, Dietz

[ORD 2024-005](#) **Ordinance Authorizing the Exercise of the Town's Power of Eminent Domain to Acquire Certain Real Property Interests Necessary for the Crowfoot Valley Road Widening Project (First Reading) [from Knobcone Drive to Macanta Blvd]**

Dan Sailer, Director of Public Works, provided an overview of the project and necessary acquisition of property.

Mike Hyman, Town Attorney, explained the eminent domain purpose and process - a forced taking of property and it requires we participate in appropriate negotiations and reach agreement or then file a case in condemnation.

Sailer feels they will come to agreement without having to exercise condemnation.

Councilmember Cavey feels this is a very small strip of property. Corliss stated they still need to go through this process to get it in place so there are not delays

No public comment.

Councilmember Cavey thanked Sailer and his team to accommodate requests made to find a solution that works for everyone.

Moved by Mayor Pro Tem LaFleur, seconded by Councilmember Cavey, to Approve Ordinance ORD 2024-005 as presented. The motion passed by a vote of:

Yes: 7 - Gray, LaFleur, Hollingshead, Cavey, Bracken, Brooks, Dietz

RES 2024-014 Resolution Approving an Intergovernmental Agreement for the Operation of Shared Infrastructure by and between the Members of the Cherry Creek Project Water Authority [Douglas County within Cherry Creek Basin]

Mark Marlowe, Director of Castle Rock Water, stated this is in relation to operations for Walker Reservoir. They would like to purchase more shares of 250 acre feet. The Pinery will run the operations, and all members will work together on. Shares must first be offered to the other members before selling. They anticipate completion in May 2024. Water Commission and staff recommend approval.

No public comment.

Moved by Councilmember Cavey, seconded by Councilmember Hollingshead, to Approve Resolution RES 2024-014 as presented. The motion passed by a vote of:

Yes: 7 - Gray, LaFleur, Hollingshead, Cavey, Bracken, Brooks, Dietz

RES 2024-015 Resolution Regarding the Application of the Town Council Electronic Participation, Connected, and Hybrid Meeting Policy to Future Town Council Meetings

Kristin Read, Assistant Town Manager, presented a Resolution to approve a policy to discontinue the hybrid meeting that allows public participation, and still allow remote participation by Council. The public may still continue to watch the meetings remotely and submit written comments prior to the meeting.

The board and commission policy would remain hybrid as the primary option. The Development Services director can approve virtual only meetings. It also provides the Town Manager discretion for how their meetings are conducted on a case-by-case basis.

David Corliss, Town Manager, stated staff will do whatever the majority of Council wants.

Citizens that addressed Council:

Dana Bonham feels it is time to go back to normal and show up at Council meetings and communicate through email or submit comments prior to the meeting. She appreciates Council allowing residents to show up to comment at meetings.

Ayna stated she wants to be present at meetings and the importance of

broadening participation in meetings and hybrid allows that. She asked that Council consider continuing the hybrid platform and look into meeting disturbance and how that it is handled.

Online comments:

Caryn Johnson asked that Council continue the current policy of remote participation from residents to accommodate people that cannot attend.

Councilmember Cavey has mixed feelings because for some people it is not realistic to be able to attend. She has been doing electronic meetings for 15 years for her job. She doesn't see this as a COVID thing, it is allowing people to participate. If we allow Council, we should allow residents.

Councilmember Hollingshead feels we can use technology to get more participation. If we start getting issues, we can bring it up again.

Councilmember Brooks feels it is important that we aren't denying people participation. They can watch the meeting and can submit written comments. He would rather be pro-active vs. reactive if we do have issues arise. Disturbances are occurring in small communities in Colorado; and we are unable to shut it down.

Councilmember Dietz feels people should show up in person, but then Council should be here too.

Councilmember Bracken feels if you are on a board and a quorum is needed; it is important to have that flexibility like they do for businesses.

Mayor Gray feels citizens can still participate through written comments and does not want to wait for something to happen.

Moved by Councilmember Brooks, seconded by Councilmember Dietz, to Approve Resolution RES 2024-015 as presented. The motion passed by a vote of:

Yes: 6 - Gray, LaFleur, Hollingshead, Bracken, Brooks, Dietz

No: 1 - Cavey

ADDITIONAL UNSCHEDULED PUBLIC APPEARANCES

None.

ADJOURN

Moved by Councilmember Bracken, seconded by Councilmember Hollingshead, to Adjourn. The motion passed by a vote of:

Yes: 7 - Gray, LaFleur, Hollingshead, Cavey, Bracken, Brooks, Dietz

Meeting Adjourned at 8:18 pm.

Submitted by:

Lisa Anderson, Town Clerk
